

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN OWEN HOBBS, JR.,

Defendant.

CR-13-63-GF-BMM-2

**ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS OF
MAGISTRATE JUDGE**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 31, 2015. (Doc. 132). Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Hobbs admitted to having violated Special Condition 1 of his supervised release by failing to abide by all rules and regulations of the residential preentry center.

Hobbs's admissions constitute a Grade C violation. Hobbs's criminal history category is I and Hobbs's underlying offense is a Class D felony. The statutory

range is a maximum of 24 months in custody followed by a term of supervised release up to 36 months, less any custody time imposed. The guideline range is 3 to 9 months in custody, followed by a term of supervised release up to 36 months, less any custody time imposed.

Judge Johnston found that Hobbs violated Special Condition 1. Judge Johnston recommends that Hobbs be incarcerated for two months, with no supervised release to follow.

This Court finds no clear error in Judge Johnston's Findings and Recommendations and adopts them in full. Incarceration for two months followed by no supervised release is an appropriate disposition of this case in light of Hobbs's violations.

IT IS HEREBY ORDERED:

1. Judge Johnston's Findings and Recommendations (Doc. 132) is ADOPTED IN FULL and Judgment shall be entered accordingly.

DATED this 21st day of April, 2015.



Brian Morris
United States District Court Judge